

REMARKS

Claims 1-4, 6, 8, 9, and 26 are pending. Applicant has canceled claims 16, 18, 27, and 28 solely so that claims now indicated as allowable may issue. No new matter has been added.

Cancellation of any claims should in no way be construed as an acquiescence, narrowing, or surrender of any subject matter. The amendments are being made not only to point out with particularity and to claim the present invention, but also to expedite prosecution of the present application. Applicant reserves the option to prosecute the originally filed claims further, or similar ones, in the instant or subsequently filed patent applications.

Allowable Subject Matter

Applicant thanks Examiner Weddington for noting that claims 1-4, 6, 8, 9, and 26 are allowable. Applicant has canceled all other claims and respectfully request that the instant application proceed promptly to allowance.

Claim Rejections under 35 U.S.C. § 112, first paragraph

Claims 16 and 18 stand rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement because “the specification as original filed fails to provide sufficient written bases of any the agents demonstrating wherein possession of use of the broad terms: HMG CoA reductase inhibitors, cholesterol absorption inhibitors, squalene synthetase inhibitors, fibrates, bile acid sequestrants, statins, thiazolidinediones and cholesterol ester transfer protein (CTEP) inhibitors.” (Office action, page 3). Applicant respectfully traverses this rejection.

However, solely to expedite prosecution of this application, claims 16 and 18 have been canceled. Applicant therefore requests withdrawal of this rejection.

Claim Rejections under 35 U.S.C. § 103(a)

Claims 27 and 28 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Gregg *et al.*, U.S. Patent No. 6,057,339 (“Gregg”) in view of Rosenblum *et al.*, U.S. 5,767,115 (“Rosenblum”). Applicant respectfully traverses this rejection.

However, solely to expedite prosecution of this application, claims 27 and 28 have been canceled. Applicant therefore requests withdrawal of this rejection.

Any questions raised by this submission may be directed to the undersigned at (617) 570-8743. The Commissioner is hereby authorized to charge any underpayments, or credit any overpayments, to our Deposit Account No. 07-1700, **Reference: AGP-002**.

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